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PATENT  
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PATENT APPLN. NO. 10/542,046  
RESPONSE UNDER 37 C.F.R. §1.111

REMARKS

Claims 1 and 5-11 are provisionally rejected under 35 U.S.C. 102(e) as being anticipated by Fujihara et al., U.S. Pub. 2005/0233217 A1 (hereinafter: "Fujihara"), and are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fujihara.

These rejections are improper. Fujihara is not an effective reference against the claims of the present application under 35 U.S.C. § 102(e) because the international application of which Fujihara is the U.S. national stage was not published in English. The effective date of Fujihara is its publication date of October 20, 2005, which is after the filing date of the present application, i.e., the January 15, 2004, filing date of international application No. PCT/JP04/00224, of which the present application is the U.S. national stage.

Applicants also note that the publication date of the Fujihara international application and the publication dates of the Chinese and Australian counterparts of the Fujihara international application are after the January 15, 2004, filing date of international application No. PCT/JP04/00224.

Removal of the 35 U.S.C. 102(e) and 35 U.S.C. 103(a) rejections of the claims is believed to be in order and is

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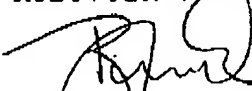
respectfully requested. Issuance of a Notice of Allowability and a Notice of Allowance is also believed to be in order and is respectfully requested.

The foregoing is believed to be a complete and proper response to the Office Action dated January 10, 2007, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,  
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